

REMARKS

In response to the Office Action mailed on April 30, 2008, the Applicants respectfully request reconsideration in view of the following remarks. In the present application, claims 1 and 24 have been amended and claims 5 and 28 have been cancelled without prejudice or disclaimer. Support for the amendments can be found in the specification at least on page 4, lines 7-11 and canceled claims 5 and 28. No new matter has been added.

Claims 1, 4, 6-27, and 29-42 are pending in the application. In the Office Action claims 1-42 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Plush et al. (U.S. Patent No. 6,532,282, hereinafter "Plush").

Claim Rejections - 35 U.S.C. §103(a)

Claims 1-42 are rejected as being unpatentable over Plush. Claims 5 and 28 have been cancelled without prejudice or disclaimer, rendering the rejection of these claims moot. The rejection of the remaining claims is respectfully traversed.

Amended claim 1 specifies a method of managing rollover usage units for a subscriber to a rollover feature of one or more communication services. The method includes receiving and storing rollover data elements wherein the rollover data elements include a subscriber identification and a balance of the rollover usage units available to offset an amount of overage units used in excess of an amount of package plan usage units available to the subscriber for a current billing cycle and wherein the balance of the rollover usage units available includes one or more unused and unexpired package plan usage units rolled over from at least one previous billing cycle; receiving a request from a requesting entity for rollover data elements that apply to the subscriber being processed for a billing cycle; and in response to receiving the request for the rollover data elements, presenting the rollover data elements for the subscriber identified in the

request wherein the rollover data elements include the subscriber identification and the balance of the rollover usage units available to offset the amount of overage units used in the current billing cycle and wherein the balance of the rollover usage units is measured in at least one of a plurality of billable units and wherein one or more of the rollover usage units expire after X billing cycles of being available to offset the amount of overage units used by the subscriber and wherein X comprises a predetermined number which varies depending on a package plan of the subscriber, wherein the rollover data is presented to at least one accounting system wherein the rollover data presented includes the amount of rollover usage units accumulated during a current billing cycle and wherein in response to the rollover data being presented, the accounting system defers the revenue associated with the amount of rollover usage units accumulated during a current billing cycle to one or more subsequent billing cycles until the rollover usage units at least one of become depleted and expire.

It is respectfully submitted that Plush fails to teach or suggest each and every feature specified in amended claim 1. For example, Plush fails to teach wherein the rollover data is presented to at least one accounting system, wherein the rollover data presented includes the amount of rollover usage units accumulated during a current billing cycle and wherein in response to the rollover data being presented, the accounting system defers the revenue associated with the amount of rollover usage units accumulated during a current billing cycle to one or more subsequent billing cycles until the rollover usage units at least one of become depleted and expire.

Independent claim 1 has been amended to include the recitations from dependent claim 5. In rejecting claim 5, the Office Action states Plush discloses “rollover data [being] presented to an accounting system (see Figs. 4-5, col. 4, line 37+).” See Office Action, page 3, lines 16-17.

The Applicants respectfully disagree. In contrast to the claimed subject matter, Plush merely discusses a relational database holding not only call detail records but also subscriber detail records, bundle records, and billing account records. See col. 4, line 37-39. The call detail records are analyzed to determine whether the call has a started date/time within a current billing period, if so, the call is rated. See col. 5, line 12-18. Rating the calls includes determining if a call is standard or non-standard. See col. 5, line 19-33. After rating the call, charges are calculated to allow the call to e-billed. See col. 5, line 27-33.

Consequently, Plush teaches maintaining call detail records and rating calls for calculating and billing charges. Thus, Plush fails to teach or disclose deferring revenue associated with rollover usage unit accumulated during a billing cycle to later billing cycles. Rather Plus discusses billing charges as they are accumulated and is silent regarding deferring revenue.

Thus, based on the foregoing, amended claim 1 is allowable over Plush and the rejection of this claim should be withdrawn. Claims 2-4, 6-23, and 42 depend from amended claim 1, and are thus allowable for at least the same reasons. Therefore, the rejection of these claims should also be withdrawn.

Amended independent claim 24 specifies similar features as amended claim 1 and thus is allowable over Plush for at least the same reasons. Based on the foregoing, Plush fails to teach, disclose, or suggest each of the features specified in claim 24. Therefore, claim 24 is allowable and the rejection of this claim should be also withdrawn. Claims 25-27 and 29-41 depend from amended claim 18, and are thus allowable for at least the same reasons. Therefore, the rejection of these claims should also be withdrawn.

Conclusion

In view of the foregoing amendments and remarks, this application is now in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is invited to call the Applicants' attorney at the number listed below.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 13-2725.

Respectfully submitted,
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